

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL, INC., and
HONEYWELL INTELLECTUAL
PROPERTIES, INC.,

Plaintiffs,

v.

C.A. No. 04-1338 (KAJ)

APPLE COMPUTER, INC.; ARGUS a/k/a
HARTFORD COMPUTER GROUP, INC.;
CASIO COMPUTER CO., LTD.; CASIO,
INC.; CONCORD CAMERAS; DELL
INC.; EASTMAN KODAK COMPANY; FUJI
PHOTO FILM CO., LTD.; FUJI PHOTO FILM
U.S.A., INC.; FUJITSU LIMITED; FUJITSU
AMERICA, INC.; FUJITSU COMPUTER
PRODUCTS OF AMERICA, INC.;
KYOCERA WIRELESS CORP.;
MATSUSHITA ELECTRICAL INDUSTRIAL
CO.; MATSUSHITA ELECTRICAL
CORPORATION OF AMERICA; NAVMAN
NZ LIMITED; NAVMAN U.S.A. INC.;
OLYMPUS CORPORATION; OLYMPUS
AMERICA, INC.; PENTAX CORPORATION;
PENTAX U.S.A., INC.; SONY
CORPORATION, SONY CORPORATION OF
AMERICA; SONY ERICSSON MOBILE
COMMUNICATIONS AB; SONY ERICSSON
MOBILE COMMUNICATIONS (USA) INC.;
TOSHIBA CORPORATION; and TOSHIBA
AMERICA, INC.

Defendants.

**DECLARATION OF DON TIMMS IN SUPPORT OF DEFENDANTS' RESPONSE TO
HONEYWELL'S MOTION TO CONSOLIDATE AND
OPPOSITION TO HONEYWELL'S MOTION TO STAY**

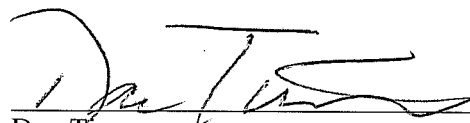
I, Don Timms, declare as follows:

1. I have been continuously employed by Kyocera Wireless Corporation ("KWC") and its predecessor since 1997. I am currently the Director of Licensing for KWC. As part of my responsibilities, I have knowledge of and have access to documents concerning the manufacture of mobile handsets sold by KWC in the United States and the procurement of the LCD modules used in those handsets. Unless otherwise stated herein, I have personal knowledge of the facts set forth in this declaration and I would and could testify competently thereto.

2. KWC is in the business of, among other things, manufacturing and selling mobile handsets and other wireless products. The handsets manufactured and sold by KWC contain liquid crystal displays ("LCDs"). I understand that Honeywell International Inc. and Honeywell Intellectual Properties Inc. ("Honeywell") have asserted that their '371 patent covers certain types of LCD structures and that Honeywell has accused any KWC handsets that incorporate such LCDs of infringing the patent.

3. While the handsets sold by KWC include LCD modules, KWC does not design, manufacture, or assemble any of the LCD modules, nor does KWC have any technical information regarding the internal structure of the LCDs. Rather, the LCD modules used in the handsets manufactured and sold by KWC are purchased from various LCD suppliers.

4. I declare the foregoing to be true and correct under penalty of perjury under the laws of the United States, and that this declaration was executed on April 11, 2005, in San Diego, California.


Don Timms